IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDDYSTONE RAIL COMPANY, LLC, : CIVIL ACTION

Plaintiff,

v. : No. 17-495

BRIDGER LOGISTICS, LLC, JULIO RIOS, JEREMY GAMBOA, FERRELLGAS PARTNERS, L.P., and FERRELLGAS L.P.,

Defendants.

ORDER

AND NOW, this 16th day of October, 2017, in light of the September 13, 2017 letter from David M. Zensky, counsel for Defendants Bridger Logistics, LLC, Ferrellgas Partners, L.P., and Ferrellgas L.P. (together, the "BL/FG Defendants") (Doc. No. 72), and the BL/FG Defendants' amended pleadings filed on September 21-22, 2017 (Doc. Nos. 76-79), as well as Plaintiff Eddystone Rail Company, LLC's ("Eddystone") Motion to Dismiss Amended Counterclaims and to Strike Affirmative Defenses (Doc. No. 83), it is hereby **ORDERED** that Eddystone's Motion to Dismiss Counterclaims and to Strike Affirmative Defenses (Doc. No. 71) is **DENIED AS MOOT**.

BY THE COURT:

/s/ Robert F. Kelly ROBERT F. KELLY SENIOR JUDGE